

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,
PLAINTIFF,

v.

\$32,780 IN UNITED STATES
CURRENCY,
DEFENDANT.

Civil Action No.

1:23-cv-01917-VMC

NOTICE OF FILING COMPLAINT FOR FORFEITURE

**TO: Malcolm Conner
1022 Willow Crest Landing
Austell, GA 30168**

A civil complaint seeking forfeiture pursuant to 21 U.S.C. § 881(a)(6) and 21 U.S.C. § 841 was filed on April 27, 2023, in United States District Court for the Northern District of Georgia by Radka T. Nations, Assistant United States Attorney, on behalf of the United States of America, Plaintiff, against \$32,780 in United States Currency (“Defendant Currency”) seized from Malcolm Conner on or about October 28, 2022, at the Hartsfield-Jackson Atlanta International Airport located at 6000 North Terminal Parkway, Atlanta, GA 30320, within the Northern District of Georgia.

The Complaint alleges that the Defendant Currency may, for the causes stated in the Complaint, be forfeited to the United States.

To contest forfeiture of the Defendant Currency, any person claiming an interest in the Defendant Currency who received direct notice of the forfeiture action must file a verified claim with the Clerk of this Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (“Supplemental Rules”) 35 days after the notice is sent. See Supplemental Rule G (5). In addition, any person who files such a Claim shall file an Answer to the Complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure, not later than 21 days after the filing of the Claim. See Supplemental Rule G(5)(b).

Supplemental Rule G(5)(a) provides in pertinent part: “(i) a person who asserts an interest in the defendant currency may contest the forfeiture by filing a claim in the court where the action is pending . . .” and “must (A) identify the specific property claimed; (B) identify the claimant and state the claimant’s interest in the property; (C) be signed by the claimant under penalty of perjury; and (D) be served on the government attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).” See Supplemental Rule G(5)(a). Supplemental Rule G(5)(b) provides in pertinent part: “[a] claimant must serve and file an answer to the complaint or a motion under Rule 12 within 21 days after filing the claim.”

The Claim and Answer shall be filed with the Office of the Clerk of Court, United States District Court for the Northern District of Georgia, Atlanta Division, 75 Ted Turner Drive, S.W., Suite 2211, Atlanta, Georgia 30303, with copies of each served upon Assistant United States Attorney Radka T. Nations, 75 Ted Turner Drive, S.W., Suite 600, Atlanta, GA 30303.

In accordance with Supplemental Rule G(4)(b), on May 19, 2023, Plaintiff sent this Notice by certified mail, return receipt requested, and via regular U.S. Mail, to every person or entity who reasonably appeared to be a potential claimant to the Defendant Currency on the facts known to Plaintiff.

Therefore, a verified Claim must be filed on or before June 23, 2023 (35 days from when notice was filed), and an answer to the complaint or a motion under Federal Rule of Civil Procedure 12 within 21 days thereafter.

Respectfully submitted,

RYAN K. BUCHANAN
United States Attorney

s/Radka T. Nations/STS
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